

DOCKET: AQUT100001000

PATENT

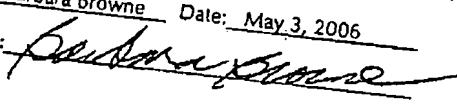
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Rikki Craig Buckworth ) EXAMINER:  
SERIAL NO.: 10/537,106 )  
FILING DATE: December 02, 2003 ) ART UNIT: 3643  
FOR: Fish Biopsy Device ) DATE: May 3, 2006

REQUEST FOR REFUND

Mail Stop \_\_\_\_\_  
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I hereby certify that this paper is being facsimile transmitted to  
the Patent and Trademark Office on the date shown below.

Name: Barbara Browne Date: May 3, 2006  
Signature: 

ATTENTION: REFUND BRANCH

Dear Sir:

The undersigned respectfully requests a refund of the charges of \$3500.00 and  
\$360.00 in the above referenced application made to deposit account no. 04-0566 in the  
statement dated 2-28-06 (copy enclosed).

The charges made by the PTO are believed to be fees for additional claims in filing  
the referenced application. Applicant believes that these charges were made in error.

The application as-filed contained 28 claims, with 2 independent claims. The  
transmittal letter (copy enclosed) indicated these in the fee calculation section, and a check  
was enclosed in the amount of \$1400.00 to cover the basic national fee (\$300.00),  
examination fee (\$200.00), search fee (\$500.00) and eight additional claims (\$400.00).

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Accordingly, the undersigned requests that a credit of \$3860.00 be made to deposit account no. 04-0566.

Additionally, the erroneous charges made to deposit account no. 04-0566 in the 2-28-06 statement resulted in the account balance falling below the required minimum, and \$25.00 service charges were then applied in each of the statements of 2-28-06 and 3-31-06. The undersigned respectfully requests that credits for these service charges (and any subsequent similar service charges) be made to deposit account no. 04-0566.

Respectfully submitted,



Peter W. Peterson  
Reg. No. 31,867

DeLIO & PETERSON, LLC  
121 Whitney Avenue  
New Haven, CT 06510-1241  
(203) 787-0595

aqt100001000req\_ref.doc



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FINA

Account No.	040566
Date	2-28-06
Page	1

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DATE POSTED MO. DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
2 8 06	13	10537106	AQUT100001000	1615	3500.00	1232.00
2 8 06	15	10537106	AQUT100001000	1616	360.00	872.00
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<p><i>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</i></p> <p><b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b></p> <p>INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/001609</b></p> <p>TITLE OF INVENTION <b>FISH BIOPSY DEVICE</b></p> <p>APPLICANT(S) FOR DO/EO/US <b>Rikki Craig BUCKWORTH et al.</b></p> <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> Is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>(unexecuted)</b></li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input checked="" type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>International Search Report and Int'l. Preliminary Examination Report</b></li> </ol>		<p>ATTORNEY'S DOCKET NUMBER <b>AQUT100001000</b></p> <p>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</p> <p>PRIORITY DATE CLAIMED <b>2 December 2002</b></p>
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This collection of information is required by 37 CFR 1.474 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to say (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete. Including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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DeLio&Peterson

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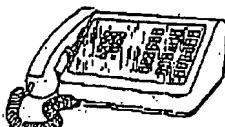
E-MAIL [delpet@delpet.com](mailto:delpet@delpet.com)

PARAPROFESSIONALS

TODD W. PATTIST  
BRENDA A. SULLIVAN

ANTHONY P. DELIO  
PETER W. PETERSON

ROBERT CURCIO  
JOHN J. TOMASZEWSKI  
KELLY M. NOWAK  
NY BAR



## FACSIMILE COVER LETTER

Our Ref.:	AQUT100001000	Your Ref.:	S/N 10/537,106
Please Deliver To:	REFUND BRANCH U.S.P.T.O.	Fax No. Called:	571-273-6500
From:	Peter W. Peterson DeLio & Peterson, LLC	ART UNIT	3643
Date:	May 3, 2006		

We are transmitting 6 pages (including this cover sheet)

### MESSAGE:

REFUND REQUEST - S/N 10/537,106

**PLEASE ACKNOWLEDGE RECEIPT!!!**

12. The device of claim 1, wherein said aperture is a hole or slot cut through the wall of the tube forming the tip portion.
13. The device of claim 1, wherein said bend is fabricated from a material selected from the group consisting of plastics, ceramics, metals and alloys.
- 5 14. The device of claim 13, wherein said bend is fabricated from copper.
15. The device of claim 13, wherein said bend is fabricated from aluminium alloy.
16. The device of claim 13, wherein said bend is in the form of a tube or a solid wire.
17. The device of claim 1, wherein said bend and shank are formed from a single piece of material.
- 10 18. The device of claim 1, comprising a plurality of hooks.
19. The device of claim 18, wherein said plurality of hooks are linked by a common shank.
20. The device of claim 18, wherein each of said plurality of hooks has a shank and the shanks are linked to form the device.
- 15 21. The device of claim 18, wherein said hooks are positioned longitudinally with respect to each other, laterally with respect to each other, or a combination of longitudinally and laterally.
22. The device of claim 18, comprising two hooks.
23. The device of claim 18, comprising three hooks.
24. The device of claim 1, wherein said tip portion is threadingly engaged by said bend.
25. The device of claim 1, wherein said shank has an eye at the end thereof for attachment  
20 of a line to said device.
26. A method of obtaining biopsy material from a fish, said method comprising the steps of:
  - i) providing a line with a device according to any one of claims 1 to 25 attached thereto;
  - ii) allowing a fish to strike said device;
  - iii) recovering said device after release from said fish; and